

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re U.S. Patent No. 6,494,458

Filed: December 19, 2000

For: **ROTARY SEALING
ASSEMBLY**



**RENEWED PETITION TO REQUEST RECONSIDERATION OF PETITION TO
ACCEPT UNINTENTIONALLY DELAYED PAYMENT OF MAINTENANCE
FEE**

Mail Stop PETITIONS
Commissioner for Patents
Post Office Box 1450
Alexandria, VA 22313-1450

Petitions Examiner:

Included herein are the following:

1. Statement That Delay Was Unintentional Signed by an acting representative under 37 C.R.F. § 1.34;
2. Copy of Payment of Prior Paid Maintenance Fee. *See Exhibit A.*
3. Statement Under 37 C.F.R. § 3.73(b); and
4. Declaration of Assignee that Delay Was Unintentional. *See Exhibit B.*

Respectfully submitted,

MUSICK PEELER LLP

/Reid Dammann/

Attorney under 37 C.F.R § 1.34(a) acting in a representative capacity.

Reid Dammann, Esq.

Customer No. 75398

One Wilshire Boulevard, Suite 2000

Los Angeles, California 90017

United States Patent and Trademark Office Reg. No. 57,227

08/07/2012 DALLEN 00000009 6494458

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2012 AUG -3 PM 11:01

**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: SARAH LEE LING UTHApplication No./Patent No.: 6494458Filed/Issue Date: 12/17/2002

Titled:

ROTARY SEALING ASSEMBLYSARAH LEE LING UTH, a individual

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest in;
2. ☐ an assignee of less than the entire right, title, and interest in
(The extent (by percentage) of its ownership interest is _____ %); or
3. ☐ the assignee of an undivided interest in the entirety of (a complete assignment from one of the joint inventors was made)

the patent application/patent identified above, by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 017275, Frame 0554, or for which a copy therefore is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at

Reel _____, Frame _____, or for which a copy thereof is attached.

2. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at

Reel _____, Frame _____, or for which a copy thereof is attached.

3. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at

Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet(s).

- ☒ As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Signature

Reid Eric Dammann

Printed or Typed Name

- Reg No. 57227

Date

Attorney

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

EXHIBIT A

LEE LING YEH
AKA SARAH LEELING UTH
648 E IMPERIAL HWY APT D
FULLERTON, CA 92835

173

DATE: 7.27.11

16-7038/3220
8085

Pay TO THE ORDER OF USPTO \$ 2880

Two Thousand Eight Hundred eighty only DOLLARS



EASTWEST BANK

17188-A Colima Rd., Hacienda Heights, CA 91745
626-810-1688

FOR Parent (6494450) maintenance fee



0173

[Signature]

MP

LEE LING YEH
AKA SARAH LEELING UTH
648 E IMPERIAL HWY APT D
FULLERTON, CA 92835

172

DATE: 7.27.11

16-7038/3220
8085

Pay TO THE ORDER OF USPTO \$ 2880

Two Thousand Eight hundred eighty only DOLLARS



EASTWEST BANK

17188-A Colima Rd., Hacienda Heights, CA 91745
626-810-1688

FOR Parent maintenance fee (6494458)



0172

[Signature]

MP

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Product Description	Sale Qty	Unit Price	Final Price
Product / Service Rate Inquiries			
Miscellaneous Purchases			\$1.75
AIC: 248			
Copy Machine Rev			
Utility	1	\$1.19	\$1.19
Mailer			
Utility	1	\$1.19	\$1.19
Mailer			
Total:			\$4.13

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EXHIBIT B

Dear Sir/Madam,

**Re: Explanation letter on Delay payment for the maintenance fee of
Patent # 6494460 and # 6494458**

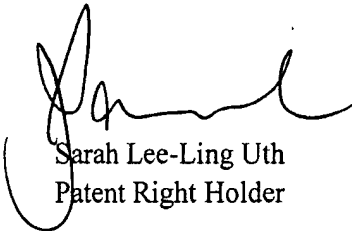
Subsequent to the request for an explanation of the late submission of the above-mentioned, I would like to present the reasons for such delay as follows:

- Due to job relocation in March, 2009, to China where there is communication deficiencies, I was unable to receive mails during my stay.
- In June 2011, when travelled back to the States, I found out that the maintenance fee was overdue, hence, I took immediate action to settle the payment (checks # 173 US\$2,880 and #172 US\$2,880 dated 7/27/11) duly before I returned to China again in end of July 2011.
- In June 2012, when travelled back to report work-in-hand, I noticed a letter from the USPTO. dated Nov 21. 2011 & Nov.22,2011 informing that the petition had been dismissed and that an explanation be submitted within two months from the mail date, plus to pay a reconsideration fee of US\$400.
- Again, I missed this request due to the fact that I was still in China.

Taking this opportunity, I would like to thank for the advice of the concerned department to write this letter explaining my situation in the hope that the issue could be solved in a mutually agreed manner.

Thank you for the attention taken to handle this issue.

With kind regards,



Sarah Lee-Ling Uth
Patent Right Holder